

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
WAYNE ROSE,

Plaintiff,

-against-

TONY CHIN

Defendant.

-----X
NICHOLAS G. GARAUFIS, United States District Judge.

The court is in receipt of a letter, not yet docketed, from Plaintiff Wayne Rose requesting administrative closure of any open case in which Rose is the plaintiff.

Rose states that his health is failing and that "all matters before [the court] have been resolved in State/City proceedings." He further asserts that Defendant Chin should not have been named in this lawsuit and that his claims are time-barred.

Rose is pro se and so the court will construe his request as a motion under Rule 41(a)(2) of the Federal Rules of Civil Procedure for court-ordered voluntary dismissal of his case. The court hereby GRANTS that motion. The action is dismissed without prejudice, and the Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: Brooklyn, New York
November 30, 2011

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ DEC 02 2011 ★
BROOKLYN OFFICE